

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION**

STEVEN J. DAVIS, as the guardian)
and next friend of his son, Scottie)
Davis,)
Plaintiff,) Case No.: 3:20-cv-01412-LCB
v.)
SOUTHTHERN HEALTH)
PARTNERS, INC., *et al.*,)
Defendants.)

OPINION & ORDER

Plaintiff Steven J. Davis brings this case on behalf of his son, Scottie Davis. (Doc. 1 at 1.) Davis alleges that on September 24, 2018, Scottie suffered a stroke while in jail, and Defendants delayed in taking him to the hospital, which violated Scottie's constitutional rights. (*Id.* at 1–3.) Parties reached a settlement agreement "conditioned on Alabama Medicaid Agency's ("Medicaid") subrogation lien or subrogation interest being reduced to zero." (Doc. 52 at 2.) Medicaid refused to waive its subrogation interest. (Doc. 52–C.) Before the Court is Defendants' Motion to Enforce Settlement Agreement and Motion to Join Alabama Medicaid Agency. (Doc. 52.) The Court reserves ruling on the Motion to Enforce Settlement Agreement, but for the following reasons, the Court **GRANTS** the Motion to Join Alabama Medicaid Agency. (Doc. 52.)

Defendants move to join Medicaid under Federal Rule of Civil Procedure 19(a)(1)(B)(ii), which states the following:

A person who is subject to service of process and whose joinder will not deprive the court of subject-matter jurisdiction must be joined as a party if:

...

(B) that person claims an interest relating to the subject of the action and is so situated that disposing of the action in the person's absence may:

...

(ii) leave an existing party subject to substantial risk of incurring double, multiple, or otherwise inconsistent obligations because of the interest.

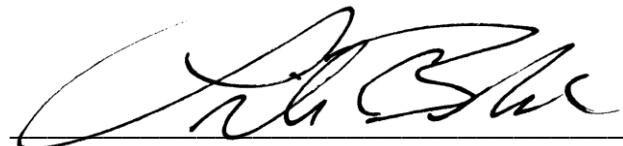
Defendants defend their position stating that they “could be exposed to double liability if [they] pay[] the settlement directly to Plaintiff without joining Medicaid as a party and adjudicating the extent of Medicaid’s subrogation interest in the settlement.” (Doc. 52 at 4–5.)

The Court agrees with Defendants. Thus, the Motion to Join Alabama Medicaid Agency is **GRANTED**. (Doc. 52.) Medicaid shall file a responsive pleading within fourteen days of the date of this Order.

The Clerk is directed to serve by certified U.S. mail a copy of this Order and Plaintiff’s Complaint upon:

Christine Clolinger
Alabama Medicaid Agency
501 Dexter Avenue
Montgomery, AL 36103
christine.clolinger@medicaid.alabama.gov.

DONE and ORDERED November 14, 2022.



LILES C. BURKE
UNITED STATES DISTRICT JUDGE